

United States District Court  
For the Northern District of California

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

JIGNESHI J. JARIWALA,	)	Case No.: 10-CV-04383-LHK
	)	
Plaintiff,	)	ORDER REGARDING PLAINTIFF
v.	)	COUNSEL'S MOTION TO WITHDRAW
	)	
JANET NAPOLITANO SECRETARY FOR	)	(Dkt. #9)
THE DEPARTMENT OF HOMELAND	)	
SECURITY., ET AL.,	)	
	)	
Defendants.	)	

Counsel for Plaintiff, Ms. Valerie Ly, has moved to withdraw as counsel on the grounds that she is no longer with the firm representing Plaintiff and no longer has access to his file. *See* Dkt. #9. For good cause shown, the Court is considering granting Ms. Ly's motion to withdraw as counsel without a hearing. Before withdrawing, an attorney must take "reasonable steps to avoid reasonably foreseeable prejudice to the rights of the client, including giving due notice to the client, allowing time for employment of other counsel, complying with rule 3-700(D), and complying with applicable laws and rules." CAL. R. PROF. CONDUCT 3-700(A)(2).

In the event the Court grants Counsel's motion, Plaintiff will have to obtain new counsel or proceed pro se. To ensure that Ms. Ly's withdrawal causes as little prejudice to Plaintiff as possible, the Court orders Ms. Ly to file a declaration and proof of service establishing that: (1) she has informed Plaintiff of the Federal Legal Assistance Self-Help Center ("FLASH") at the San Jose

Courthouse;<sup>1</sup> and (2) she has informed Plaintiff of the procedures for registering for the Court's electronic court filing (ECF) system. In addition, Counsel must provide the Court with Plaintiff's current mailing address. Counsel must file this declaration and proof of service by Thursday, February 17, 2011. The Court also orders Ms. Ly to serve this Order on Plaintiff by certified mail and file proof of service with the Court by Thursday, February 17, 2011.

**IT IS SO ORDERED.**

Dated: February 15, 2011

  
LUCY H. KOH  
United States District Judge

<sup>1</sup> The telephone number for FLASH is (408) 297-1480. Plaintiff may sign-up for an appointment with a FLASH representative at the San Jose Courthouse.